IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8773 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RATUBHAI KOTHARI

Versus

DIST ENGINEER

Appearance:

MR YM THAKKAR for Petitioner

MR ANANT S DAVE for Respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 25/04/2000

ORAL JUDGEMENT

In this petition under Article 226 of the Constitution, the petitioner had prayed for a writ of mandamus to direct the respondents to take immediate action pursuant to the complaints filed by the petitioner for the non-working of telephone No. 934 at Vapi and had prayed for certain ancillary reliefs.

2. At the admission stage, after giving the respondents an opportunity of being heard, this Court had

passed the order dated 30.4.1991 directing the respondent to see that the above numbered telephone was made operational and functional, if it was not disconnected for want of non-payment of telephone bills. Thereafter, the petition was admitted on 6.8.1992 and the ad-interim relief granted earlier was continued.

3. The petition has come up for hearing after almost a decade. The learned counsel for the petitioner submits that since the petitioner's grievance was redressed by the aforesaid interim order, nothing further is required to be done at this stage.

4. In view of the above and in view of the nature of the interim relief granted earlier, it appears to the Court that the petition deserves to be disposed of in terms of the interim order itself. Accordingly, it is clarified that if the petitioner pays the telephone bills of the above numbered telephone service, the telephone facility shall be continued.

Rule is discharged with no order as to costs.

April 25, 2000 (M.S. Shah, J.)
sundar/-